

REMARKS

Re-examination and allowance of the present application is respectfully requested.

Applicant respectfully traverses the 35 U.S.C. § 103(a) rejection of claims 21-29 as being obvious over U.S. Patent No. 6,356,551 to EGBERT in view of U.S. Patent No. 6,449,647 to COLBY et al., and further in view of U.S. Patent No. 6,246,680 to MULLER et al.

According to a feature of the present invention, a control switching device is provided to interconnect the server modules. Specifically, the present invention includes a routing server module that updates a routing table in accordance with evaluated utilization data of the other server modules, and then transmits the updated routing table to the other server modules. Applicant submits that at least this feature is lacking from the prior art combination set forth by the Examiner.

EGBERT discloses a packet switched network systems 10 that includes an integrated network switch (IMS) 12. The IMS 12 includes a processing unit, an addressable communication interface and a routing calculation unit. Applicant submits that EGBERT fails to disclose or suggest interconnecting a plurality of network systems 10 to a modularly designed server, as taught by the present invention.

COLBY et al. discloses the use of a routing table based on the utilization level. However, Applicant submits that only a single, centralized router table is disclosed, which differs from Applicant's instant invention, in which the updated router table is transmitted to the other server modules.

MULLER et al. discloses a plurality of subsystems 110 interconnected to form a network with a modularly designed server. However, Applicant submits that MULLER et al. fails to disclose or suggest Applicant's switching device. In contrast to Applicant's claimed invention, switching elements 100 in MULLER et al. are directly interconnected via cascading interfaces 225 (see, for example, Fig. 2), whereas Applicant's invention provides a central switching device that is provided to interconnect the server module. Furthermore, MULLER et al. also fails to disclose or suggest using a routing table in each routing calculation unit in accordance with the utilization of the interconnected server modules, as taught by the instant invention.

Applicant submits that if one attempted to combine the teachings of the above-applied references in the manner suggested by the Examiner, one would fail to arrive at the present invention, as defined by the claims. In particular, Applicant submits that the combination suggested by the Examiner fails to teach that a routing server module is provided that constantly updates a routing table based upon evaluated utilization data of other server modules, and that the updated routes table is forwarded (transmitted) to the other server modules. Further, Applicant submits there is not even a hint in the applied references, either individually or in the suggested combination, of doing this.

By the current amendment, Applicant amends claim 21 to clarify the above-discussed feature, cancels claim 25, and amends claims 26 and 28 to conform to the changes made to claim 21. In view of the present amendment, Applicant submits that the ground for the 35 U.S.C. § 103 rejection no longer exists. Accordingly, Applicant respectfully requests that this ground of rejection be withdrawn, and that the application be passed to issue.

P20721.A08

Pursuant to M.P.E.P. § 714.13, Applicant contends that entry of the present amendment is appropriate because the proposed amended claims avoid the rejections set forth in the last Official Action, resulting in the application being placed in condition for allowance, or alternatively, the revised claims place the application in better condition for purposes of appeal. Further, the revised claims do not present any new issues that would require any further consideration or search by the Examiner, and the amendment does not present any additional claims. In this regard, Applicant submits that support for the above-discussed feature in claim 21 may be found in prior claims 25, 26 and 28. Accordingly, entry of the present amendment is respectfully requested.

SUMMARY AND CONCLUSION

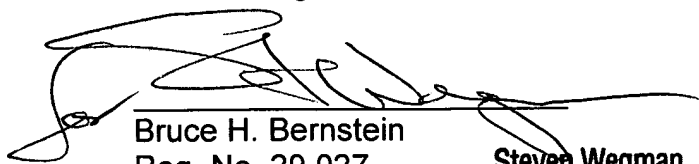
In view of the fact that none of the art of record, whether considered alone or in combination, discloses or suggests the present invention as now defined by the pending claims, and in further view of the above amendments and remarks, reconsideration of the Examiner's action and allowance of the present application are respectfully requested and are believed to be appropriate.

Any amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should an extension of time be necessary to maintain the pendency of this application, including any extensions of time required to place the application in condition for allowance by an Examiner's Amendment, the Commission is hereby authorized to charge any additional fee to Deposit Account No. 19-0089.

Should the Examiner have any questions or comments regarding this Response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,  
Dr. Xiaoning NIE

A handwritten signature in black ink, appearing to read "Bruce H. Bernstein", is written over a horizontal line.

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